

THE RALEIGH POLICE DEPARTMENT

1110-13

FACIAL RECOGNITION SYSTEMS

PURPOSE

The purpose of this directive is to establish policies, guidelines and procedures for the use of Facial Recognition Systems.

VALUES REFLECTED

This directive reflects our values of Service, Fairness, and Integrity. In carrying out these operations we will hold ourselves to the highest standards of integrity and professionalism and will act in such a manner that no infringement upon the statutory and constitutional rights of any individual shall occur.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

NCGS § 132-1.4: Criminal Investigations; Intelligence Information Records
28 CFR Part 23: Criminal Intelligence Systems Operating Policies
DOI 1110-09 Non-Testimonial Identification, Lineups
DOI 1110-15 Criminal Intelligence and Investigative Task Forces

May be Released to the Public

Effective Date: 02-18-15
Prepared By: C.L. Deck-Brown
Chief of Police

Supersedes: N/A
Approved By: Ruffin Hall
City Manager

GENERAL POLICIES

The Raleigh Police Department is committed to reducing crime and maintaining order by aggressively investigating criminal activity that threatens public safety and diminishes the quality of life in our neighborhoods. Facial Recognition (FR) Systems are tools used to assist law enforcement with identifying persons involved in investigations by comparing a suspect's photograph to photographs of known and unknown offenders. FR systems allow law enforcement agencies to save time and resources by providing investigative leads quickly, supplementing more traditional methods of policing. The use of these tools is consistent with the mission of the Raleigh Police Department in providing the highest level of service to the community while still recognizing legitimate privacy interests held by citizens.

FACIAL RECOGNITION SYSTEM

A facial recognition system is a computer based system that compares photographs from various sources to a database of photographs accessed by the facial recognition system. Various computer algorithms are used to analyze facial features which the system then compares against a database of photos. The facial recognition system will then identify possible matches to the photo. Facial recognition systems can compare one photo to a database of photos, called "one-to-many" comparison, and one photo to another photo, called "one-to-one" comparison. Facial recognition systems can also compare photos to previously searched photos that were not matched to the existing database at the time of comparison.

CONTROL AND USE OF THE FACIAL RECOGNITION SYSTEM

The facial recognition system will only be used for official law enforcement purposes and in accordance with all State and Federal laws protecting an individual's reasonable expectation of privacy.

Personnel assigned to the Video Forensic Analyst and Computer Forensic Analyst positions will be tasked with the operation and security of the facial recognition system. No other personnel are authorized to access the facial recognition system, excluding audits by supervisory personnel. When not in use, the system shall be locked and inaccessible to unauthorized personnel.

Comparisons of photos utilizing the Raleigh Police Department's facial recognition system will be made to a database of arrest photos maintained by the City-County Bureau of Identification (CCBI) of persons arrested in Wake County.

Photos to be compared utilizing the FR system must be lawfully obtained and may come from the following sources:

- Closed Circuit Television (CCTV) video from the scene of a crime;
- Photos of a suspect provided by the suspect, witnesses to, or victims of a crime;
- Photos obtained through a valid court order or search warrant;
- Photos or video taken during lawful surveillance that is a part of an active criminal investigation;
- Photos and video lawfully collected at a crime scene.

Photos to be compared utilizing the FR system cannot come from the following sources:

- CCTV video that is not directly related to an active criminal investigation;
- Social media sources, except for photos or videos that are obtained from the public domain and are directly related to an active criminal investigation;
- Photos or videos from pickets, protests, religious assemblies, funerals, or demonstrations unless such photos or videos were taken as a part of an active criminal investigation;
- Photos from the Department of Motor Vehicles.

The Raleigh Police Department's facial recognition system is a comparison tool only. It shall not be used to capture, gather, or compare photos or videos in real time.

In the event that a photo which has been obtained as outlined above is compared but not matched to an existing photo, that photo may be used at a later time to be compared to the database again, or it may be compared to other lawfully obtained photos of unidentified person(s) obtained during an investigation.

At no time should a photo match from the facial recognition system be relied upon as the sole basis for developing probable cause for an arrest. Specific and articulable facts beyond the results of the facial recognition comparison must exist to establish probable cause. Results obtained from FR System are considered investigative leads only.

An audit log shall be maintained by the operator(s) of the facial recognition system to include the following:

- Report Number
- Date of Request
- Type of Investigation
- Name of Person Requesting Comparison
- Name of Person Operating System

Audits may be performed at any time to ensure compliance with this directive.

TRAINING FOR THE FACIAL RECOGNITION SYSTEM

Personnel assigned to the operation of the Facial Recognition System will receive training concerning the use and operation of the Facial Recognition System, as well as continuing training covering State and Federal laws as they relate to the use of facial recognition technology, show ups and the Eyewitness Identification Reform Act.